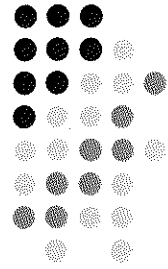


EMISSIONS SAFETY TESTING

A B R E A T H O F F R E S H A I R



From the DMV

A Note About Program Integrity

The integrity of the Emissions and Safety Testing Program is dependent upon the skills, knowledge and professionalism of all inspectors and station owners. By affixing a certificate of inspection to a vehicle you are certifying that it meets all minimum standards and regulations at the time of inspection. Minimum standards and regulations provide for a uniform inspection process. When an inspector fails to follow the inspection standards or conducts a fraudulent inspection, it undermines the integrity and purpose of the program as well as the skills, experience and knowledge of every inspector and is demeaning to the auto repair industry overall.

DMV, DEM and Systech (now Opus Inspection) continually work to uphold the program integrity through enhanced electronic fraud detection, routine station inspections, covert audits and challenge inspections. Violators will be subject to suspension of inspection privileges, fines, and/or Federal prosecution.

Enforcement News

MASSACHUSETTS

Two Wrentham inspectors must pay \$116,000 to settle clean-scanning allegations. Attorney General Martha Coakley announced that William Daly and Michael Daly of Bill's Automotive Center, Inc. have agreed to pay civil penalties of up to \$116,000 to resolve allegations that they issued up to 67 fraudulent inspection stickers. The fraudulent inspections allegedly occurred between November 2008 and January 2010. The penalties could be reduced if the inspectors and the business agree to the terms of the agreement. Coakley's complaint also lists an alleged violation of the Massachusetts Clean Waters Act against the both the business and landowner due to a leaking industrial wastewater tank that discharged pollutants into the local groundwater. William Daly is prohibited from performing inspections and Michael Daly's inspection license has been suspended for 15 months. *Legal Newsline, 4/29/13.*

Volume 3, Issue 1

August 1, 2013

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Enforcement News (Continued)**MASSACHUSETTS**

Strike Force cracks down on fraud. Mass DEP (Department of Environmental Protection), through its Environmental Strike Force, and in partnership with the Registry of Motor Vehicles (RMV) have suspended and fined three inspectors at Commonwealth Motors in Lawrence for conducting fraudulent inspections. One inspector, Luis Lazala, was determined to have used a former employee's login ID to perform eight fraudulent tests. Lazala's inspector's license was revoked for 8 months and suspended for an additional 2 years. He was also fined \$8,000. Commonwealth Motors' license was suspended for 2 years, but stayed pending demonstrated ability to remain in compliance. The business was also assessed a \$16,000 penalty. *The Valley Patriot*, 4/5/13

GEORGIA

Four metro Atlanta inspectors charged with faking thousands of tests. Jerome Clarence Barnes has been indicted on federal conspiracy charges and violations of the Clean Air Act, along with three inspectors he allegedly recruited for the scheme, Seretha Franklin, Ieka Jones, and Jared Walker. According to the Grand Jury indictment, the four performed and recorded over 4,000 fraudulent inspections at shops in three counties, charging from \$100 to \$125 for each test. (Georgia law prohibits charging more than \$25 for a vehicle inspection.) Lawyers for all four defendants maintain that they are innocent of all charges. *wsbtv.com* 2, 5/1/13.

Atlanta area grand jury indicts 8 for inspection fraud. The office of Georgia Attorney General Sam Olens announced that the defendants were charged with conspiring to sell fraudulent motor vehicle emission certificates and test results to motorists in Cobb and Fulton counties whose vehicles would not otherwise pass the test. The fraud allegedly occurred at emissions stations operated by Nathaniel Johnson (though licensed to other individuals) between January 2009 and March 2012. For these fraudulent services, the defendants would charge more than the legally established fee for an emissions inspection. Each defendant has been charged with one count of racketeering, which if convicted, would result in 5 to 20 years in prison and/or a \$100,000 fine. *Atlanta Business Chronicle*, 3/11/13.

NORTH CAROLINA

Man sentenced for violation of the Clean Air Act. On February 20th, Senior United States District Judge James C. Fox sentenced Angel Dario Rodriguez Nunez, 30, of Durham, North Carolina, to 5 years of probation with a special condition of 6 months of house arrest and a \$500 fine. Nunez received a reduced sentence because of his cooperation in the on-going investigation. The information alleged that from May 2009 to June 2010, Nunez and others at two auto service businesses in the Charlotte area used surrogate vehicles, manufactured between 1996 and 1999. The surrogate cars, which were each capable of passing an emissions test but not transmitting vehicle ID information, were used in place of vehicles correctly entered into the inspection system but that would likely fail the test. Investigators found 817 cars were falsely passed in this manner (Nunez being personally responsible for 353) for which motorists were charged \$150 to \$225 per car. *The United States Attorney's Office for the Eastern District of North Carolina*, 2/20/13.

For program
information
visit our
Rhode Island
website at:
RIinspection.org

Rhode Island Program Information

Introducing Opus Inspection...

Systech International and ESP are entering the final phase of their highly successful merger that began last year. The companies are assuming a single legal identity marked by a single name that reflects their combined status as the only fully vertically integrated company in the vehicle inspection industry: **Opus Inspection, Inc.**

While both companies are starting to operate under Opus Inspection now, the complete legal merger of Systech and ESP with Opus Inspection is scheduled for the end of 2013.



Lothar Geilen, CEO of Opus Inspection, said, "We have had an exciting couple of years for our company:

"We have combined Systech with ESP in the U.S. and formed a division with Opus Bilprovning in Sweden resulting in a larger, more capable vehicle inspection company.

"Over the past 18 months, we have been awarded many valuable contract extensions as well as new I/M contracts for the Wisconsin, North Carolina and New York vehicle inspection programs.

"Our Development Center has expanded to more than 30 engineers, tripling its size from two years ago.

"Our manufacturing facility is buzzing with activity as we prepare to deliver 10,000 OBD analyzers to the New York vehicle inspection program and launch several other new products in other programs.

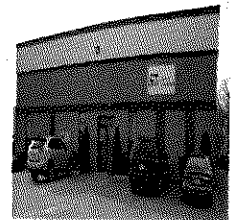
"I am especially proud of the Opus Inspection senior management team," said Mr. Geilen. "They have worked cohesively and tirelessly to build Opus Inspection into the new company we are today and to continuously improve our organization. We at Opus Inspection will continue to provide the highest level of service and support that our valued customers deserve and expect from us."

At Your Service....

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State of Rhode Island



Opus Inspection
Corporate Office

2013 Inspector Recertification Testing

The newly revised web based Inspector Recertification Testing, which kicked off January 22nd, has been widely accepted as a positive improvement to the program. Inspectors must be recertified every two years or their Inspector license is revoked. In a 120-day period over 850 RI State Inspectors have been recertified using the new web based system, and over 200 removed from the system. Having the training materials and practice test available online 24/7 has significantly improved accessibility for inspectors to obtain the latest rules, regulations and requirements.



Liesa Quinn from the Battery Shop in Warwick takes her recertification test.

Inspectors had to score 70% or above to pass the test. We were happy to see the enthusiasm and spirited discussions that took place while reviewing the questions that were answered incorrectly.

The top question answered *incorrectly* was:

Inspector A says: If a vehicle is pending suspension from DMV, a failed inspection automatically extends it by 30 days. Inspector B says: The 30 day period only entitles the vehicle to a free retest at the same station within 30 days. Who is correct?

- A. Inspector A
- B. Inspector B
- C. Both inspectors A and B
- D. Neither inspector A or B

The top question answered *correctly* was:

2001 and newer model year vehicles may pass the Readiness Monitor Test if they have no more than _____ unset monitors.

- A. 0
- B. 1
- C. 2
- D. 3

Nearly 120 inspectors scored a perfect 100%! (We will have to increase the level of difficulty for the next round of testing!)

During the testing we collected email addresses so your next notification for recertification will come 30 days before your two-year test date anniversary by email. It is likely you are reading this newsletter, which is your first email from us.

All in all we are very pleased with the results and appreciate the participation and enthusiasm you all showed with the new program. You can email us with any comments or suggest ways to improve the testing process at lisa.renzi@systechportal.com.

Sincerely,

Frank Ofiero
Program Manager



The Technician's Bench

Got any good tech stories for this column? We're on the lookout for helpful tips, technical know-how, even how-I-solved-it adventures! Why not share them with us? Send your stories to frank.ofiero@systechportal.com

Stick 'em up! (The right way)

As most are aware a new style of sticker was introduced in Rhode Island for 2013. Although new to Rhode Island this style of sticker has been in use in a number of inspection programs for many years. Missouri alone has issued over 4 million. For the most part, the new sticker has been working well here—but there have been a few exceptions. In our investigation, we found that improper sticker application has been one of those exceptions.

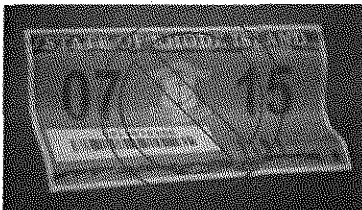
Proper placement and application of the Rhode Island state inspection sticker is a necessity. As the following instructions demonstrate, proper sticker application is quick and easy.

From section 11.1 of the Rhode Island Official Manual for Vehicle Inspection:

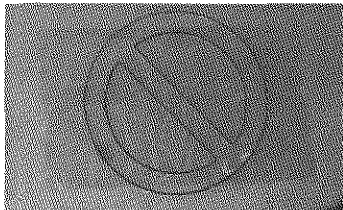
PLACE THE NEW STICKER ON THE INSIDE LOWER RIGHT HAND CORNER OF THE WINDSHIELD—AS VIEWED WHEN SITTING IN THE VEHICLE IN THE DRIVER'S POSITION—SO AS NOT TO OBSTRUCT THE OPERATOR'S VISION.

Steps to insure proper adhesion when affixing inspection stickers to a vehicles' windshield:

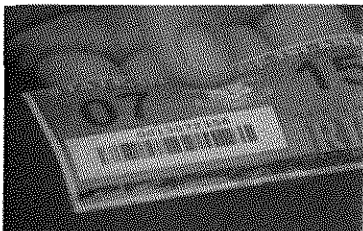
1. Remove old sticker.
2. Clean the area of debris.
3. Wipe target area using a shop towel and glass cleaner.
4. Remove adhesive liner from sticker.
5. Align the sticker so that when viewing from outside the vehicle it is not obstructed by resting windshield wipers or logos that some manufacturers etch onto the windshield.
6. Rub firmly across top and bottom (adhesive area) of sticker.



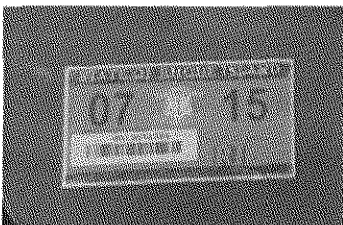
A poorly applied sticker!



Old glue residue left behind!



Lined up right & ready to go!



Perfect application!



EPA News

EPA Annual Report Summary for RI

The Environmental Protection Agency (EPA) requires the Department of Environmental Management (DEM) to submit an annual report to EPA by July of each year that provides basic statistics on the Inspection/Maintenance (I/M) Program for January through December, of the previous year.

DMV and the Department of Motor Vehicles (DMV) are jointly responsible for the administration of the Rhode Island I/M Program. DMV is responsible for the operation of the program and DEM is responsible for the environmental aspects.

The data for the EPA Annual Report is submitted to DEM yearly by Opus Inspection (formerly Systech International) and DMV.

Opus Inspection's detailed reports consist of results from the vehicle inspection data that include initial test volume, first retests and subsequent retest volume by test type, model year and vehicle type, failures of initial test and percentage of total failures for light-duty vehicles, 25 years old and newer, up to 8,500 pounds GVWR.

Once the data is submitted, it is organized and put into the report and submitted to EPA.

The following table is an example of one of the tables that was included in the 2011 EPA Annual Report. This table provides a breakdown for the number of initial test results for test types, the number of vehicles that passed and failed, and the percentage of the failure rate.

Initial Test Results

Tests	Total	Pass	Fail	% Fail
Initial OBD Tests	304,485	286,528	17,957	5.90%
Initial Transient Tests	20,543	19,117	1,426	6.94%
Initial Two Speed Idle Tests	11,657	10,074	1,583	13.58%
Initial OBD Diesel	779	751	28	3.59%
Initial Diesel Opacity	195	180	15	7.69%
Total Initial Tests	337,659	316,650	21,009	6.22%

There were 289 AIRS that participated in the I/M Program during 2011. There were 337,659 vehicles tested in 2011. The number of vehicles that failed the initial test was 21,009. This result is an overall initial failure rate of 6.22%.

A portion of the data also submitted to DEM from DMV for the EPA Annual Report are the results for the total number of waivers that were issued by DMV to motorists if the vehicle fails the initial inspection or fails the re-inspection.

In Rhode Island, three different types of waivers are available if a vehicle fails the emissions test and a retest.



The waiver types are:

- ♦ A diagnostic waiver applies to vehicle owners whose vehicles have all emission control devices in place and operating and no additional repairs are reasonably possible or because they are unable to get their vehicle repaired because the necessary emission parts are no longer available or no longer manufactured.
- ♦ A repair cost limit waiver is available for vehicle owners if the vehicle failed the emission test and the owner has spent a minimum of \$700 on emission-related parts and/or labor (labor must be performed by a CIRT to qualify) and the vehicle still does not pass.
- ♦ A repair time delay waiver is available for vehicle owners who can prove financial hardship.

Waivers are only effective for one inspection cycle.

The yearly comparison table at right was submitted in the 2011 EPA Annual Report for the number of vehicles that failed the initial inspection test, the number of waivers that were granted and the percentage waiver rate.

As the table indicates in 2000, the first year of the I/M program, the waiver rate was slightly above the 3% estimated in the I/M SIP. Since 2001 the waiver rate has remained below 3%, potentially due to the continued training seminars and OBD training, resulting in improved repair effectiveness. Additionally, DMV

continues to follow the

strict guidelines defined in Rhode Island Motor Vehicle Safety and Emissions Control Regulation No.1, section 1.9.1 Waiver Requirements and Conditions.

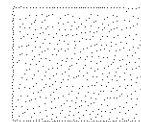
During 2011, there were a total of 137 waivers issued: 87 repair cost waivers, 47 repair time-delay waivers and 3 diagnostic waivers were issued. Of the 137 waivers issued, there were 7 time delay waivers and 1 diagnostic waiver issued during January, February and March 2011, due to the results of vehicles failing its initial test during the previous calendar year (2010) and completing the retest in the following year (2011). The remaining 129 waivers were issued to vehicles that failed the inspection during 2011. The overall 2011 waiver rate is 0.65%.

These examples are just a small portion of the EPA Annual Report. The EPA also requires a description of the enforcement methods employed; outline of quality control and quality assurance program mechanisms used, along with a description of significant events.

Year	Number of Failed Vehicles	Waivers Granted	Waiver Rate
2000	36,090	1,568	4.30%
2001	21,223	440	2.07%
2002	31,473	219	0.70%
2003	32,152	221	0.69%
2004	28,126	126	0.45%
2005	28,585	151	0.53%
2006	21,923	96	0.44%
2007	18,174	70	0.39%
2008	17,814	53	0.30%
2009	27,241	149	0.55%
2010	24,458	125	0.51%
2011	21,009	137	0.65%

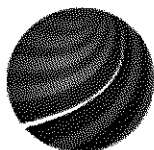


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IMPORTANT NEWS ABOUT THE RHODE ISLAND EMISSIONS AND SAFETY PROGRAM!

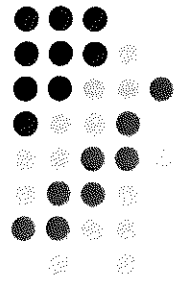
COMPANY NAME
STREET ADDRESS
CITY, RI 22134



OPUS INSPECTION

RI EMISSIONS & SAFETY TESTING

A BREATH OF FRESH AIR



From the DMV

Reciprocity between states: testing out-of-state vehicles

On occasion, a Rhode Island vehicle may not actually be in the State during the month that its current inspection approval expires. It is reasonable to assume that it would be impractical or unreasonable to expect such a vehicle to be returned to Rhode Island solely for the purpose of inspection. This holds true for those vehicles from other states that happen to be in Rhode Island during the time their inspection is due. Many of these states will accept a Vehicle Inspection Report (VIR) from Rhode Island. So don't be surprised when someone with out-of-state plates asks for an inspection. Just remember to input the correct state from the plate on the car when entering vehicle data.

For our citizens the State of Rhode Island will accept the certificate of inspection and approval issued to a vehicle that was not in the State of Rhode Island during the month that its inspection approval expired—providing that the out-of-state authority has a safety and emissions inspection law similar to Rhode Island's.

These regulations are not to be interpreted to mean that a Rhode Island registered vehicle can be taken out of state to be inspected. This privilege is only granted to vehicles that are not in Rhode Island during the expiration month of the current approval.

An out-of-state inspection certificate will be honored until the next required inspection period begins, or until the out-of-state approval expires, whichever comes first.

In the event that a vehicle has not been inspected in another state, the vehicle will be allowed five (5) Division of Motor Vehicles business days upon its return to the State of Rhode Island in which to obtain an inspection approval.

The burden of proof that the vehicle was out of state at the time the existing approval on the vehicle expired is solely the responsibility of the registered owner.

Volume 3, Issue 2

December 1, 2013

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Enforcement News

Massachusetts

Inspection fraud in Bristol County lands senior business owner in jail. Richard Silvia, 71, pleaded guilty in Bristol Superior Court on November 12 to 41 counts of violating vehicle emissions and safety inspection requirements and 24 counts of fraudulently issuing inspection stickers. In addition, Silvia's company, Bristol County Tire Service, Inc., pleaded guilty to 3 counts of violating vehicle emissions and safety inspection requirements and a single count of fraudulently issuing an inspection sticker. Silvia was sentenced by Superior Court Judge Gary A. Nickerson to 60 days in the House of Corrections, followed by five years' probation on and after the imposed jail sentence. Silvia is also further prohibited from being involved directly or indirectly with motor vehicle inspections, whether through Bristol County Tire Service or any other business that involves the inspection of motor vehicles. Also, Silvia is prohibited from handling or using RMV documents in any way. *WBSM (AM 1420)*

[Link to article](#)

North Carolina

Clean scanning nets 12-month prison term and \$10,000 fine. Jose Manuel Cabrera, an employee of Carolina Tire & Auto service center in Pineville, while acting as a state-licensed emissions inspector, conducted 164 illegal emissions inspections using surrogate vehicles to falsely pass cars that would have otherwise failed emissions inspection. According to court records, the violations took place at Carolina Tire from February 2011 to May 2012. Surrogate vehicles were either currently being repaired at the business or had already been repaired and awaiting pick-up by the owner. Court records also indicate that Cabrera charged a \$60 to "clean scan" a vehicle. Cabrera pled to one count of conspiracy, and he was sentenced to 12 months' incarceration, followed by 36 months' court supervised release. His release includes the condition that Cabrera not obtain a license to or actually conduct any vehicle emissions testing. He was also ordered to pay a \$10,000 federal fine and complete 100 hours of community service. North Carolina DMV suspended Carolina Tire's service center in Pineville from conducting emissions testing for ten years. *US EPA Enforcement News*

[Link to press release](#)

For program
information
visit our
Rhode Island
website at:
RIinspection.org

Rhode Island Program Information

Pass Code Security

Please remember that your pass code for the inspection analyzer is your digital signature that you use for each and every inspection that you perform as a CIT.

Remember to never give your pass code to anyone else. It is the sole responsibility of the inspector to maintain the integrity of his or her pass code. If at anytime you suspect that your pass code may have been compromised, contact the Systech (Opus Inspection) office at 737-0556 immediately to have your pass code changed. The inspector listed on each and every inspection report shall be held responsible for that inspection.

Please note that Inspectors may be given manager privileges in addition to being a CIT thereby enabling them to purchase test authorizations. If an individual inspector needs to be assigned privileges to purchase test authorizations, this can be done by contacting the Systech (Opus Inspection) office at the number listed above. Additionally you may contact the Systech office directly to purchase authorizations. This situation is not an acceptable excuse to compromise a pass code.

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Frank B Stevenson, P.E.
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Specialist
Office of Air Resources,
RIDEM
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(office)
(401) 222-2017 (fax)

Bruce Tassone joins Rhode Island Emissions and Safety Program

We would like to welcome new program manager Bruce Tassone to Rhode Island. Bruce has over 10 years of experience in Program Management, and has most recently worked as Program Manager for CVS in Woonsocket, RI. Bruce looks forward to joining with you to provide the highest level of service and support for the motoring public of Rhode Island.



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1-866-OBD-TEST



State of Rhode Island



Opus Inspection
Corporate Office

The Technician's Bench

Got any good tech stories for this column? We're on the lookout for helpful tips, technical know-how, even how-I-solved-it adventures! Why not share them with us? Send your stories to bruce.tassone@opusinspection.com

Hybrid Vehicle Batteries: Question and Answer

Question

Hybrid Vehicle Batteries: Should battery be replaced when vehicle is diagnosed with a MIL ON/battery IMA DTC issue? (Steve Leydon, GA-EPD; Ronnie Heselmeyer, TX-DPS)

Answer

GA has found a larger number of 2005 Hybrid vehicles have had to have their batteries replaced in order to pass the emissions test:

- Most replacements have been under warranty;
- The code shows that there is not enough life left in the battery so the engine is running all of the time.

CA: 2003-2004 Honda models have had more problems with their OBD systems; they find that if the battery has gone bad, there will be problems with the emissions test.

VA and NJ: have seen some vehicles with this problem.

MA: the vehicle has to get fixed if the battery needs to be replaced but they are not getting any complaints on this issue.

Honda issued a Service Bulletin (12-077) on December 21, 2012 extending the warranty on the IMA Battery Module for the various Civic Hybrids (see link to TSB below for details):

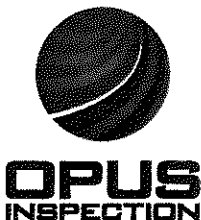
MYs 2003-2006 with original warranty of 8 years/80,000 miles:
extended to 9 years and 96,600 miles

MYs 2007-2008 with original warranty of 8 years/80,000 miles:
extended to 9 years and 92,000 miles

MYs 2003-2006 with original warranty of 10 years/150,000 miles:
extended to 11 years and 170,100 miles

MYs 2007-2008 with original warranty of 10 years/150,000 miles:
extended to 11 years and 162,000 miles

The TSB is also posted to the OBD Clearinghouse at this location:
<http://tinyurl.com/lzx3s73>



The Technician's Bench

Stick 'em up! (The right way)

As most are aware a new style of sticker was introduced in Rhode Island for 2013. Although new to Rhode Island, this sticker design has been in use in a number of inspection programs for many years. Missouri alone has issued over 4 million. For the most part, the new sticker has been working well here—but there have been a few exceptions. In our investigation, we found that improper sticker application has been one of those exceptions.

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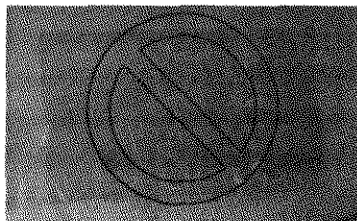
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Old glue residue left behind!



Lined up right & ready to go!



Perfect application!



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IMPORTANT NEWS ABOUT THE RHODE ISLAND EMISSIONS AND SAFETY PROGRAM!

